

**Submitted by Board Member Zuray, prepared by the Alaska Department of Fish and Game<sup>1</sup>.**

March 11, 2023

Substitute language for proposal 82:

The sinking of gillnets has been discussed for commercial, subsistence, and personal use fishing in the Yukon Area with Board Members, stakeholders, ADFG, YDFDA, and YRDFDA in RC 20. The following language is recommended for further consideration in addition to RC 20 by Board Member Zuray.

**Issue at hand:** Originally proposal 82 was written by ADF&G to require set net float lines and floats to be floating on the surface because submerged gillnets are less visible and may be difficult to observe if fishing illegally during closed periods. Also allowing a gill net to be in a fishing condition with floats not visible on the surface of the water is a navigation hazard.

**Problem:** While solving the visibility problem this would eliminate set net subsistence, personal use and commercial fishing during times of drift running for many fishermen which can happen each year for extended periods. Sinking of float lines allows most small drift to float right over net.

**Solution:** The sinking of gillnets has been discussed for commercial, subsistence, and personal use fishing in the Yukon Area with Board Members, stakeholders, ADFG, YDFDA, and YRDFDA. Fishermen have expressed the desire to solve the visibility and enforcement issues but would like to do so by requiring the following:

1. In Districts 3 – 6, gillnets in operation sunk below the surface must have a keg, buoy, or cluster of floats visible on the surface of the water at each end of the submerged net, and for submerged gillnets over 60 feet in length, a third keg, buoy, or cluster of floats must be attached to the middle of the net.
2. In Districts 1 and 2, the float line and floats of gillnets must be floating on the surface of the water while the net is fishing, unless natural conditions cause the net to temporarily sink. (Note: Lower Yukon District representatives have stated they have no need to sink nets there except in winter under the ice.)
3. From October 1 to May 15 the above will not be required in all districts so as to allow for traditional sinking of nets under the ice in winter.

**Commercial regulations (statewide):**

5 AAC 39.250 is amended to read:

**5 AAC 39.250. Gillnet specifications and operations.**

...

(d) The float line and floats of gillnets must be floating on the surface of the water while the net is fishing, unless natural conditions cause the net to temporarily sink. The restriction of this subsection does not apply in the Arctic-Kotzebue Area (5 AAC 03.100), the Norton Sound-Port Clarence Area (5 AAC 04.100), the Yukon Area (5 AAC 05.100) **Districts 3 — 6 and from October 1 to May 15 in Districts 1 and 2**, the Kuskokwim Area (5 AAC 07.100), and the Kodiak Area (5 AAC 18.100).

**Commercial regulations (Yukon Area):**

5 AAC 05.334 is amended by adding a new subsection to read:

**5 AAC 05.334. Identification of gear.**

...

**(d) In Districts 3 — 6, gillnets in operation sunk below the surface must have a keg, buoy, or cluster of floats visible on the surface of the water at each end of the submerged net, and for submerged gillnets over 60 feet in length, a third keg, buoy, or cluster of floats must be attached to the middle of the net from May 15 to September 30.**

**Subsistence regulations (Yukon Area):**

5 AAC 01.220 is amended to read:

**5 AAC 01.220. Lawful gear and gear specifications.**

(c) The following restrictions apply to subsistence fishing:

...

**(15) in the Coastal District and Districts 1 and 2, the float line and floats of gillnets must be floating on the surface of the water while the net is fishing, unless natural conditions cause the net to temporarily sink from May 15 to September 30;**

**(16) in Districts 3 — 6, gillnets in operation sunk below the surface must have a keg, buoy, or cluster of floats visible on the surface of the water at each end of the submerged net, and for submerged gillnets over 60 feet in length, a third keg, buoy, or cluster of floats must be attached to the middle of the net from May 15 to September 30.**

**Personal use regulations (Yukon Area):**

5 AAC 77.171(a) is amended by adding a new paragraph to read:

**5 AAC 77.171. Lawful gear for personal use finfish fishing.**

(a) In Subdistrict 6-C, finfish may be taken for personal use only by set gillnets and fish wheels as follows:

...

**(7) gillnets in operation sunk below the surface must have a keg, buoy, or cluster of floats visible on the surface of the water at each end of the submerged net, and for submerged gillnets over 60 feet in length, a third keg, buoy, or cluster of floats must be attached to the middle of the net from May 15 to September 30.**

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<sup>i</sup> Preparation of draft substitute language at the request of a Board member does not imply ADF&G support. The Department will state its position on the language during deliberation.